

# **EXHIBIT A**

**CASE: 1:16-cv-01114 JSG**

## **I. ASSIGNMENT**

I was engaged to determine whether Tristar Power Pressure Cooker XL models ("Pressure Cooker(s)") contain a common defect in their design that renders them unsafe and unreasonably dangerous. I have been asked to review and comment on the materials submitted on behalf of the Tristar as its Expert Report. These materials are not organized in the usual manner of expert reports so I am not able to fully evaluate Tristar's expert's opinions about the existence and cause of the defect discussed in my initial report. Regardless, I have attempted to identify the key points in the materials submitted by Tristar and analyzed them below.

## **II. ANALYSIS**

### **A. S-E-A- Project Report dated March 30, 2016**

Testing to determine the internal pressure of the PPC770 cookers was conducted with only 60 inch-pounds of torque applied to the lid. This amount of force applied to rotate the lid is unreasonably low because a typical user would be able to apply much more than that by using both hands on opposite sides of the lid and leveraging against the base unit's handles. A more reasonable level of applied torque would be over twice what S-E-A used in its testing. For example I believe a typical consumer could easily exert tangential force on the cover at two places to result in an opening torque of at least 120 inch-pounds. I was easily able to exert 133 inch-pounds of torque on an exemplar PCC770 by simply using both hands and leveraging against the base unit's handles. In addition, I recall Jason Mattice commenting during the January 2017 inspection that the XL model Pressure Cookers appear to enable one to apply twice the 82.5 inch-pound torque that their human factors testing showed was possible on the PC-WAL1 model.

The PPC770 pressure cooker generates internal pressure as the contents are heated above the boiling point of water--212<sup>0</sup>F. It is this internal pressure that needs to be contained by the cooker to prevent injury to the consumer. If the heated and pressurized contents escape unexpectedly then severe injury can result. For this reason, pressure cookers are expected to prevent pressurization if the lid is not adequately secured and the lid is not supposed to be removable if the contents are under pressure.

S-E-A's conclusions are based in-part on pressure readings inside the cooker taken with an electronic data logger, but these recorded pressure readings are suspect for the following reason. S-E-A's pressure readings as recorded in tables 8, 9, 10 & 11 are suspect because the reported pressures for test #13, in each case, is unreasonably high and obviously in error. In the unlocked condition (test #13) a 2.2-pound lid should lift and vent at a pressure of 0.25 kPa (0.036 psi). The reported pressures for an unlocked lid are as high as 9.4 kPa (1.36 psi) which would exert an upward force of 91 pounds against a surface diameter of 9.25 inches. Since the same data logger was used to record the internal

pressures for the other tests those pressure readings, and any conclusions drawn from them, are also suspect.

**B. Jason Mattice's Declaration dated January 30, 2017**

§ 6: There is no foundation for Mattice's statement that the "...procedure produces much more torque than a consumer would apply when opening the cover under normal use." If under "normal use" the consumer encountered resistance then it is reasonable to expect that at least some consumers may try to force it open.

§ 7: While the class representatives did testify the release valve had been used to vent the units prior to removal of the lids it is nonetheless possible that clogging of the valve by the contents prevented all internal pressure from venting. The Owner's manual clearly states that clogging is possible<sup>1</sup>. The S-E-A testing during January 2017 was incomplete because testing was performed with water which will not clog the valves.


**III. CONCLUSION**

Because of above deficiencies in the lid removal testing and obvious errors in the reported internal pressure levels, the S-E-A report is insufficient in showing that a design defect did not exist in the accident cookers. The opinions expressed in my original report dated February 22, 2017 are not changed as a result of what Tristar submitted.

**IV. DECLARATION**

- A. For all the opinions expressed in this report I have relied upon exhibits, deposition testimony, litigation history, product information and personal experience created, or referenced, in part, in this legal proceeding. I reserve the right to amend or supplement my analysis and conclusions should new information become available.
- B. All of my opinions contained herein are based on reasonable degree of engineering and scientific certainty.
- C. I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 22, 2017

  
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John D. Pratt, Ph.D., P.E.

<sup>1</sup> PPC-770 Owner's manual page 1 Bullets 17, 18 & 19